

## Certificate of Mailing (37 C.F.R. § 1.10):

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (Express Mail label No.: EV 348162632US) service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 11, 2003Name of Person Certifying: Joyce AbhamPrinted Name: Joyce Abham

17858 U.S. PTO  
10/661790  
09/11/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yamazaki et al.  
Filing Date: September 11, 2003  
Serial No.: Unassigned  
Title: MEMBRANE-BASED ASSAYS

Examiner: Unassigned  
Group Art Unit: Unassigned

## Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## UTILITY PATENT APPLICATION &amp; FEE TRANSMITTAL

(for nonprovisional applications under 37 CFR § 1.53(b))

Sir:

Transmitted herewith for filing in connection with the above-identified patent application are the following:

## I. Elements of the Application

- ☒ Application [ 1 ] page(s) of Cover Sheet  
[ 37 ] page(s) of Specification  
[ 5 ] page(s) of Claims  
[ 1 ] page(s) of Abstract  
[ 9 ] sheets of color Drawings (Figs. 1-9, in triplicate)  
[ 9 ] sheets of black and white Drawings (Figs. 1-9)
- ☒ Declaration and Power of Attorney [ 3 ] page(s)  
[ ] Unexecuted [ ] Executed [ X ] Copy from prior application (37CFR § 1.63(d))
- ☐ Deletion of Inventors: [ ] page(s) of signed statement deleting inventor(s) (37CFR§ 1.63(d) & 1.33(b))
- ☐ Request and Certification Under 35U.S.C. 122(b)(2)(B)(i)
- ☐ Nucleotide and/or Amino Acid Sequence Submission:  
[ ] \_\_ page(s) of Statement Regarding Sequence Listing Under 37 CFR 1.821-1.825  
[ ] \_\_ pages of Sequence Listing (paper copy)  
[ ] disk containing Sequence Listing (computer readable copy)

The Invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

☐ The name of the U.S. Government agency is \_\_\_\_\_ and the Government contract number is: \_\_\_\_\_.

**II. Claim for U.S. Priority**

- ☐ This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-Part of Prior Application No. \_\_\_\_\_ filed on \_\_\_\_\_. (35 USC §120)
- ☒ This application claims the benefit under 35 U.S.C. §119(e) of United States Application Serial 60/410,173, filed September 11, 2002. (Provisional Application)
- ☐ The entire disclosure of the prior application referenced above, is considered as being part of the application filed herewith and is herein incorporated by reference in its entirety.

**III. Claim for Foreign Priority**

- ☐ This application claims the benefit under 35 USC §119 of Prior Application No. \_\_\_\_\_ filed \_\_\_\_\_.
- ☐ Certified Copy of Priority Document [ ] page(s)
- ☐ English Translation of Priority Document [ ] page(s)


**IV. Accompanying Documents**

- ☐ Assignment Papers [ ] page(s) of Recordation Cover Sheet [ ] page(s) of Assignment
- ☒ Applicant(s) claims Small Entity Under 37 CFR § 1.27 [ ] Verified Small Entity Statement was previously filed in Prior Application No. \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.
- ☐ Information Disclosure Statement [ ] page(s) of PTO-1449 [ ] copies of IDS References
- ☐ A Preliminary Amendment [ ] pages
- ☐ A copy of a Petition for Extension of Time ( \_ mos.) filed simultaneously in Prior Application No. \_\_\_\_\_
- ☐ A copy of a Submission of Processing & Retention Fee (37 CFR § 1.78(a)(1) which is being filed simultaneously in Prior Application No. \_\_\_\_\_
- ☒ Other: Petition for Filing Color Drawings (MPEP §1.84(a)(2)) (1 pg., in duplicate)
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

**V. Fee Calculation**

<input checked="" type="checkbox"/> The following fees are submitted:					CALCULATIONS
		OTHER THAN SMALL ENTITY	SMALL ENTITY		\$
BASIC NATIONAL FILING FEE		\$ 750.00	\$ 375.00		\$ 375.00
EXTRA CLAIMS FEE					
CLAIMS	# FILED	# EXTRA	RATE	RATE	
Total Claims	41 - 20 =	21	× \$18.00	× \$ 9.00	\$ 189.00
Independent claims	2 - 3 =	0	× \$84.00	× \$42.00	\$ 0.00

<b>MULTIPLE DEPENDENT CLAIM(S)</b>			
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	\$270.00	\$135.00
Fee for recordation of the enclosed assignment (37 CFR 1.21(h), 3.28, 3.31).			
		(Numbers of Applications) × \$40.00	\$
<b>OTHER FEES</b> _____ (specify)			\$
		<b>TOTAL FEES =</b>	<b>\$ 564.00</b>

a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.	
b. <input checked="" type="checkbox"/> Please charge Deposit Account No.: <u>50-2518</u> , Docket No. <u>7006162001</u> , in the amount of \$ <u>564.00</u> to cover the above fees. <i>A duplicate copy of this sheet is enclosed.</i>	
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-2518</u> , Docket No. <u>7006162001</u> . <i>A duplicate copy of this sheet is enclosed</i>	
SEND ALL CORRESPONDENCE TO:	
David W. Maher Bingham McCutchen LLP Three Embarcadero Center, 28th Floor San Francisco, CA 94111 Telephone: (650) 849-4908 Fascimile: (650)849-4800	<div style="text-align: right;">             _____            SIGNATURE         </div> <div style="text-align: right;">           September 11, 2003            _____            DATE         </div> <div style="text-align: right;">           David W. Maher            _____            NAME         </div> <div style="text-align: right;">           40,077            _____            REGISTRATION NUMBER         </div>

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Yamazaki et al.

Serial No.: To Be Assigned

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**Official Draftsman**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR FILING COLOR DRAWINGS (MPEP §1.84(a)(2))**

Sir:

The applicants respectfully request approval to include color drawings with the present application. The drawings depict the results of scientific experiments which inherently contain, and are most clearly communicated to one of skill in the art through the use of, color. Three sets of drawings and one set in black and white are included with the Petition as required by 37 C.F.R. § 1.84(2)(ii). Granting of this petition is respectfully requested.

Please charge Deposit Account No. 50-2518, Docket No. 7006162001, in the amount of \$130.00 to cover the petition fee as set forth in 37 C.F.R. §1.17(h), to be entered into the above application. *A duplicate of this sheet is enclosed.*

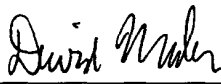
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518, Docket No. 7006162001. *A duplicate of this sheet is enclosed.*

Date: September 11, 2003

Respectfully submitted,

09/17/2003 HDEMESS1 00000054 502518 10661790

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By: 

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Registration No. 40,077

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